

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ROSE OIL COMPANY, INC.;  
ROSEMART, INC.; and ROSEMART  
PROPERTIES, LLC,

Plaintiffs,

v.

PNC BANK, N.A., as successor by merger  
to RBC BANK (USA)

Defendant.

**JUDGMENT**

No. 5:15-CV-389-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the defendant's motion to dismiss for failure to state a claim upon which relief may be granted, pursuant to Federal Rule of Civil Procedure 12(b)(6).

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered January 29, 2016, and for the reasons set forth more specifically therein, that defendant's motion to dismiss is granted. Plaintiffs shall have and recover nothing from this action.

**This Judgment Filed and Entered on January 29, 2016, and Copies To:**

Benjamin J. Norman (via CM/ECF Notice of Electronic Filing)  
James C. Adams, II (via CM/ECF Notice of Electronic Filing)  
S. Leigh Rodenbough, IV (via CM/ECF Notice of Electronic Filing)  
Timothy Graham Nelson (via CM/ECF Notice of Electronic Filing)  
William L. Esser, IV (via CM/ECF Notice of Electronic Filing)  
Brian David Darer (via CM/ECF Notice of Electronic Filing)

January 29, 2016

JULIE RICHARDS JOHNSTON, CLERK

/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk